

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:22-CV-04022-BCW
)	
STATE OF MISSOURI, et al.,)	
)	
Defendants.)	

ORDER

Before the Court is Defendant the State of Missouri's Emergency Motion for Stay of Judgment and Injunction Pending Appeal. (Doc. #91). The Court, consistent with its oral ruling during the telephone conference with the parties on March 9, 2023, grants in part and denies in part said motion. The motion is denied to the extent it requests a stay pending appeal and is granted as to the request for an administrative stay.

On March 8, 2023, Defendant the State of Missouri filed a motion to stay judgment pending appeal. (Doc. #91). Defendant alternatively sought an administrative stay until such time the parties could brief the issue of a stay to the Eighth Circuit Court of Appeals. The motion requested ruling within two days.

On March 9, 2023, the Court held a telephone conference with the parties and heard argument on the motion. In course of the telephone conference discussion, Plaintiff indicated its opposition to Defendant's motion to stay pending appeal and alternative request for administrative stay. Plaintiff stated the intent to rest on its oral argument by telephone, without need of filing a written opposition in this Court.

On consideration of Defendants' Motion to Stay this Court's Order and Judgment pending appeal (Doc. #91) and the arguments made before the Court at the hearing on March 9, 2023, the Court will grant in part and deny in part the pending motion. Accordingly, it is hereby

ORDERED Defendant the State of Missouri's Emergency Motion for Stay of Judgment and Injunction Pending Appeal (Doc. #91) is GRANTED IN PART AND DENIED IN PART. The Order and Judgment is temporarily administratively stayed until such time as the U.S. Court of Appeals for the Eighth Circuit rules on Defendants' expected motion to stay the Order and Judgment pending appeal. It is further

ORDERED the parties shall meet and confer as to a reasonable expedited briefing schedule such that the motion to stay the Order and Judgment shall be fully briefed for the Eighth Circuit's consideration by **March 16, 2023**. The temporary administrative stay shall remain in place until the Eighth Circuit determines whether the Order and Judgment (Doc. #88) should be stayed pending appeal.

IT IS SO ORDERED.

DATE: March 9, 2023

/s/ Brian C. Wimes
JUDGE BRIAN C. WIMES
UNITED STATES DISTRICT COURT